

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

LARRY E. MILLER,

No. C 09-01321 MEJ

Plaintiff,

**ORDER FOR DEFENDANT TO FILE  
CONSENT/DECLINATION**

V.

FORD MOTOR CO.,

**Defendant.**

10 Defendant.

Pending before the Court is Defendant's Motion to Dismiss. (Dkt. #5.) Upon review of the record in this action, the Court notes that Defendant has not filed a written consent to Magistrate Judge James' jurisdiction. This civil case was randomly assigned to Magistrate Judge James for all purposes including trial. In accordance with Title 28, U.S.C. § 636(c), the magistrate judges of this district court are designated to conduct any and all proceedings in a civil case, including trial and entry of final judgment, upon the consent of the parties. An appeal from a judgment entered by Magistrate Judge James may be taken directly to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of a district court.

You have the right to have your case assigned to a United States District Judge for trial and disposition. Accordingly, Defendant shall inform the Court, by way of the enclosed form, whether it consents to Magistrate Judge James' jurisdiction or requests reassignment to a United States District Judge for trial. The consent/declination form shall be filed by than May 14, 2009.

**IT IS SO ORDERED.**

Dated: May 4, 2009

**MARIA-ELENA JAMES**  
United States Magistrate Judge